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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,432	02/12/2004	Dae-Gyun Kim	678-1351	4336

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EXAMINER	
HERRERA, DIEGO D	

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/777,432	KIM ET AL.	
	Examiner	Art Unit	
	Diego Herrera	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/24/2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102 (e) as being anticipated by Martin et al. (US patent 6631275 B1).

Regarding claim 1, Martin et al. shows and discloses a method for performing call set up by a mobile station in a mobile communication system having a base station for serving the mobile station (abstract, title, fig. 4-5, col. 5 lines: 1-7), the method comprising the steps of:

entering at least one digit of a recipient's phone number (abstract, col. 5 lines: 1-7, 33-42);

Transmitting to the base station, in response to the entering of the at least one digit of

the recipient's phone number, an origination message that does not contain a recipient's phone number (abstract, fig. 4, col. 5 lines: 65-67--co1.6 lines: 1-4);

receiving a channel assignment message for a forward and reverse traffic channels from the base station, setting up wireless channels to the base station according to assignment information included in the channel assignment. message (col. 4 lines: 1-9, fig. 4-5); and

completing entry of the recipient's phone number, transmitting to the base station, in response to a send key input, an origination continuation message containing the recipient's phone number (col. 2 lines: 45-55).

a mobile switching center for controlling the base station (col. 2 lines: 15-28).

Regarding claim 4; Martin et al. discloses and shows a method for performing call setup by a base station upon a call attempt by a mobile station in a mobile communication system having the base station for serving the mobile station, and a mobile switching center for controlling the base station (fig. 1-5, col. 2 lines: 15-28), the method comprising the steps of:

Entering at least one digit corresponding to a recipient's phone number; receiving an origination message, by the base station, that does not contain the recipient's phone number from the mobile station, assigning to the mobile station wireless resources and transmitting to the mobile station a channel assignment message containing the assignment information (col. 4 lines: 1-9);

b. After transmitting the channel assignment message, assigning wireless channels to the mobile station (col. 4 lines: 17-18);

c. After completion of the assignment of the wireless channels, transmitting to the mobile switching center a service request message when an origination continuation message, transmitted in response to a send key input, containing a recipient's phone number is received from the mobile station (abstract, title, fig. 5, col. 6 lines: 43-51); and

d. Upon receiving an assignment request message from the mobile switching center, transmitting an assignment complete message to the mobile switching center (col. 6 lines: 52-56).

Regarding claim 6, Martin et al. shows and discloses a method for performing call setup by a base station upon a call attempt by a mobile station in a mobile communication system having the base station for serving the mobile station, and a mobile switching center for controlling the base station (fig. 1-5, col. 2 lines: 15-28), the method comprising the steps of:

receiving an origination message generated in response to the entry of at least one digit corresponding to a recipient's phone number (col. 4 lines: 1-9);

a. Upon receiving an origination message from the mobile station, transmitting to the BSC a service request message, simultaneously assigning wireless resources to the mobile station, and transmitting a channel assignment message containing the assignment information to the mobile station (abstract, col. 1 lines: 65--col. 2 lines: 6);

b. Transmitting, after receiving an origination complete message generated in response to the entry of a send key, an assignment complete message to the BSC if an assignment request message is received from the mobile switching center (col. 3 lines: 30-32)

Regarding claim 9, Martin et al. a method for performing call set up by a base station upon call attempt by a mobile station in a mobile communication system having the base station for serving the mobile station, and a mobile switching center for controlling the base station (fig. 1-5, col. 2 lines: 15-28), the method comprising the steps of:

a. Upon receiving an origination message, transmitted in response to the entry of at least one digit corresponding to a recipient's phone number (abstract, col. 5 lines: 1-7, 33-42), that does not contain the recipient's phone number from the mobile station, transmitting a service request message to the mobile switching center (col. 4 lines: 1-10), simultaneously assigning wireless resources to the mobile station, and transmitting a channel assignment message including the assignment information to the mobile station (abstract, col. 1 lines: 65--co1.2 lines: 6);

b. After transmitting the channel assignment message, assigning wireless channels to the mobile station (col. 4 lines: 1-10);

c. After assignment of the wireless channels, transmitting to the mobile switching center a recipient's phone number when an origination continuation message, transmitted in response to entry of a send key, is received from the

mobile station (fig. 1-5, col. 2 lines: 15-28, abstract, title, fig. 5, col. 6 lines: 43-51); and

d. After assignment of the wireless channels, if an assignment request message is received from the mobile switching center in response to a service request message, transmitting to the mobile switching center an assignment complete message (fig. 5, col. 6 lines: 5-21).

Regarding claim 10, Barany et al. shows and discloses a mobile station apparatus for performing call setup in a mobile communication system (fig. 1-5), comprising:

a. A key input unit for generating a key signal corresponding to a key input by a user (col. 5 lines: 8-20);

b. A radio frequency (RF) unit for up-converting a signal to be transmitted to a base station into a RF signal, and down-converting an RF signal received from the base station into a base band signal (col. 1 lines: 17-28);

c. An inherent modem for encoding and modulating data or a message to be transmitted to the base station, providing the modulated data or message to the RF unit, and demodulating and decoding the base band signal received from the RF unit (col. 2 lines: 46-55); and

d. A controller for generating an origination message, in response to the entry of at least one digit of a recipient's phone number (abstract, title, fig. 5, col. 6 lines: 43-51), that does not contain the recipient's phone number and providing the origination message to the modem when a dial signal is received from the key input unit (abstract, title, fig. 1-

5, col. 3 lines: 6-13),

controlling the RF unit to setup wireless channels (col. 1 lines: 17-28), for a forward and a reverse traffic channels and performing service negotiation upon receiving a channel assignment message (abstract, col. 5 lines: 1-7, 33-42), and generating, in response to an entry of a send key input (fig. 1-5, col. 2 lines: 15-28, abstract, title, fig. 5, col. 6 lines: 43-51), an origination continuation message to the modem when a key input complete signal is received from the key input unit (abstract).

Consider claim 2, and as applied to claim 1 above, the combination discloses and shows wherein the step of setting up wireless channels comprises the steps of:

a. Assigning the forward traffic channel and the reverse traffic channel corresponding thereto according to the assignment information, and transmitting a preamble over the assigned reverse traffic channel (abstract, title, fig. 1-5, col. 6 lines: 43-56); and

b. Exchanging acknowledgement (ACK) orders with the base station and performing service negotiation with the base station (col. 6 lines: 53-55).

Consider claim 5, and as applied to claim 4 above, the combination further comprising the steps of:

a. Upon receiving the assignment request message from the mobile switching center, determining whether assignment of the wireless channels is completed (abstract, title, fig. 1-5, col. 4 lines: 1-9, 17-18); and

b. Transmitting the assignment complete message to the mobile switching center if

assignment of the wireless channels is completed (abstract, title, fig. 1-5, col. 3 lines: 6-13).

Consider claim 7, and as applied to claim 6 above, the combination shows and discloses the assignment request message from the mobile switching center is received after a service request message is transmitted (fig. 1-5).

Consider claim 8, and as applied to claim 6 above, the combination shows and discloses further comprising the steps of:

a. Upon receiving the assignment request message from the mobile switching center, determining by the base station whether assignment of the wireless channels is completed (abstract, title, fig. 1-5, col. 4 lines: 1-9, 17-18); and

b. Transmitting the assignment complete message to the mobile switching center if assignment of the wireless channels is completed (abstract, title, fig. 1-5, col. 3 lines: 6-13).

Consider claims 3 and 11, and as applied to claim 1 above, combination shows and discloses the origination message includes a dummy phone number consisting of all '0s' (abstract, title, fig. 4-5, col. 6 lines: 5-21).

Consider claim 12. (New)The method of claim 4, combination wherein the step of assigning wireless channels comprises:

assigning, before input of the send key, a forward traffic channel and a reverse traffic channel corresponding thereto according to the assignment information (abstract, title, fig. 1-5, col. 4 lines: 1-9, 17-18), and

transmitting a preamble over the assigned reverse traffic channel (fig. 1-5); and

exchanging acknowledgement (ACK) orders with the base station and performing service negotiation with the base station (col. 6 lines: 50-55).

Consider claim 13. (New) The method of claim 4, combination wherein the origination message includes a dummy phone number consisting of all '0s' (abstract, title, fig. 4-5, col. 6 lines: 5-21).

Consider claim 14. (New) The method of claim 9, combination wherein the step of assigning wireless channels comprises: assigning a forward traffic channel and a reverse traffic channel corresponding thereto according to the assignment information, and transmitting a preamble over the assigned reverse traffic channel(abstract, title, fig. 1-5, col. 4 lines:1-9, 17-18);and

exchanging station and performing acknowledgement (ACK) orders with the base service negotiation: with the base station (col. 6 lines: 50-55).

Consider claim 15. (New) The method of claim 9, combination wherein the origination message includes a dummy phone number consisting of all '0s' (abstract, title, fig. 4-5,

col. 6 lines: 5-21).

Consider claim 16. (New) The method of claim 10, combination wherein the step of setting up the wireless channels comprises:

assigning a forward traffic Channel and a reverse traffic channel corresponding thereto according to the assignment information, and transmitting a preamble over the assigned reverse traffic channel (abstract, title, fig. 1-5, col. 4 lines: 1-9, 17-18); and

exchanging acknowledgement (ACK) orders with the base station and performing service negotiation with the base station (col. 6 lines: 50-55).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diego Herrera whose telephone number is (571) 272-0907. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Diego Herrera
Patent Examiner

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SUPERVISORY PRIMARY EXAMINER